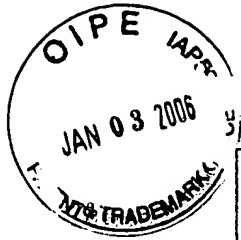


15-3628

Attorney Docket No.: 10251-027



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Patent Application of	:	Robert J. Feilbogen, et al.
U.S. Serial No.	:	09/871,569
Filing Date	:	May 31, 2001
Title of the Invention	:	METHOD AND SYSTEM FOR FOREIGN EXCHANGE PRICE PROCUREMENT AND AUTOMATED HEDGING
Examiner	:	Jason M. Borlinghaus
Group Art Unit	:	3628

I hereby certify that this correspondence is being transmitted as first class mail to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Juan Arias      December 29, 2005

Name

Date

Signature

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO SPECIES ELECTION REQUIREMENT**

Sir:

This responds to the Office Action of November 30, 2005 in which the Examiner required that applicants elect, under 35 U.S.C. 121, one of three species identified as (1) figure 2; (2) figure 3; and (3) figure 4, and list the claims readable on the elected species. It is the Examiner's position that, currently, no claim appears generic.

Applicants disagree that there are no pending generic claims and respectfully traverse the election requirement. A comparison of the limitations of each of the independent claims 1, 19, 20 and 37 with Figs. 2, 3 and 4 reveals that, in fact, each of the

independent claims reads on each of Figs. 2, 3 and 4. As an example, in the Table below we show the correspondence of the steps of claim 1 to relevant steps shown in Figs. 2, 3, and 4:

<b><u>Claim Limitation</u></b>	<b><u>Step in Fig. 2</u></b>	<b><u>Step in Fig. 3</u></b>	<b><u>Steps in Fig. 4</u></b>
A method of monitoring business transactions to provide foreign currency exchange hedging instructions and to provide currency price information for goods of commerce, comprising the steps of:			
receiving business transaction information regarding at least one of purchases and sales of goods by a customer;	See step 250	See step 2	See steps 1, 2
receiving hedging rules, wherein said hedging rules define rules to exchange a first type of currency to a second type of currency;	Inherent – see description at pages 14 and 15 of application	See step 6	See step 6
receiving pricing rules, wherein said pricing rules define rules to update public foreign currency prices of said goods;	Inherent – see description at pages 13, 14 and 16 of application	See step 5	See step 5
generating public price information to provide foreign prices of said goods, based on at least one of a predetermined foreign exchange rate; and	See step 220	See step 7	See step 8
generating hedging instruction information to provide instructions on whether to exchange from said first type of currency to said second type of currency, based on said hedging rules.	See step 230	See step 9	See steps 9, 10

Therefore, at least independent claim 1 and similar claim 20 (directed to a hedging processor) are generic to all of the species. Claims 19 and 37 are also generic to all of these species as they contain fewer than all of the limitations in claims 1 and 20.

In the event that the Examiner nevertheless maintains the species election requirement, Applicants elect to pursue the species identified by the Examiner as corresponding to Fig. 2. Applicants believe that all of the pending claims read on at least the species of Fig. 2 and therefore respectfully submit that all pending claims should be examined in the present application.


Should the Examiner believe that any issues related to the election requirement are unresolved by the above explanation and conditional election of species, the Examiner is requested to please contact the undersigned by telephone to discuss this matter.

Respectfully submitted,  
PROSKAUER ROSE LLP  
Attorneys for Applicant(s)

Date: December 29, 2005

PROSKAUER ROSE LLP  
Patent Department  
1585 Broadway  
New York, NY 10036-8299

Tel: (212) 969-3000

By   
Tzvi Hirshaut  
Reg. No. 38,732